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STATE FOR PRM AND EAP/MLS  
STATE FOR ECA/PE/V/F/A (MICHAEL CAIN AND NALINEE CAIN)

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SUBJECT: 5TH HUMANITARIAN RESETTLEMENT PROCESS JOINT WORKING GROUP  
MEETING, DECEMBER 13, 2007

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11. (U) Summary: During the fifth Humanitarian Resettlement (HR) Joint Working Group (JWG) meeting on December 13, discussion centered on plans to conclude the process and was generally productive. The two sides agreed on a final round of Public Information Outreach (PIO) throughout southern Vietnam to take place over two weeks in January 2008 shortly before Tet. We related the necessity for HRS's caseworkers (International Organization for Migration (IOM) employees) after June 25, 2008, when their visas expire per the current arrangement between the GVN and IOM. The GVN suggested that a direct request from IOM would be the most appropriate way to approach visa extension. Discussions of fraud prevention led nowhere, but re-enforced our perceptions of how much more our two countries could cooperate. GVN sensitivity to criticism was manifested both in our discussion of fraud prevention and in their complaint near the end of the meeting about the 2007 Vietnam Human Rights Act. End summary.

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Progress to Date  
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12. (U) Post hosted the Fifth session of the JWG. Representing the GVN were Le Xuan Vien, Deputy Director of the Ministry of Public Security's (MPS) Department of Immigration and Emigration, and five other MPS and MFA representatives. Representing the USG side were DPO Angela Dickey, picking up the role previously held by former DPO Ken Chern, HRS Chief Tim Swanson, and CIS OIC Mary Ann Russell. Both sides reviewed the current state of the process and the work they have put into it. HRS has received over 58,000 HR applications. Almost 54,000 cases (representing about 150,000 persons) have not met the criteria for the categories open under HR and have been screened out. USCIS has interviewed about half of the cases opened so far. This process has resulted in 1,120 persons either already resettled or approved for resettlement. Over 3,000 more were either refused or found not qualified at interview.

13. (U) Vien announced that the GVN has issued a total of 7,800 passports to persons who notified the GVN that they were HR applicants; 800 of those passports were issued since April 2007. The GVN has provided 176 responses to USG re-education release certificate verification requests. More are still pending. It has proven difficult to secure confirmation of some records because some localities have been redistricted and renamed many times in the intervening years with consequent shifts in the location of, or responsibility for, their records. Vien said that his office has sent some records to as many as six or seven provinces without success, but that they were still trying.

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Public Information Outreach  
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14. (U) The two sides had agreed to a final round of PIO at the fourth JWG in May. The USG proposed to add three sentences to the message emphasizing the process's end and the need to apply as quickly as possible. The GVN agreed in principal to the change. The DPO remarked that the PIO should be as far reaching and as thorough as possible so that anyone who was qualified and interested in HR would learn about it and be able to apply. The USG asked that the PIO be as long as possible and that the message be broadcast or printed as many times as possible in all 34 provinces from Quang Tri south. Given the approach of Tet, the USG suggested having the PIO in late February as the audience would not be distracted with the upcoming holiday and because advertising costs before Tet could be relatively expensive.

15. (U) Vien noted that based on their discussions with media outlets, a two week PIO was feasible given the budget available. The GVN side initially indicated that there would only be one newspaper, one television, and one radio announcement each per province, they then stated that two announcements in each media form would be possible. Vien suggested that it would be psychologically more effective to have the PIO before Tet, which would allow potential applicants to discuss whether to apply during the family gatherings over the holiday. It would also allow for wider word of mouth dissemination because of the great amount of Tet-related travel just after the PIO. The USG side accepted this recommendation.

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Completing the Process  
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16. (U) The U.S. side noted that USCIS has yet to interview about half of the screened in cases and that it expects to screen in about 700 more cases, including many of the cases currently pending re-education camp release certificate verification. The length of time required for verifications is

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one of the largest variables in predicting the process's end. Since USCIS is planning four circuit rides to HCMC in 2008, rather than the three we had planned on earlier, it is possible that the entire caseload will be interviewed before 2009. The US side emphasized that this is dependent on whether our expatriate caseworkers employed on contract by the International Organization for Migration (IOM) are able to work after the HR application period ends on June 25, 2008. The USG side also noted that the expatriate caseworkers are also involved in Visas 93, McCain, and Priority One processing. Given these cases and the likelihood that some HR cases would be pending and take considerably longer to conclude, the USG side informed the GVN that it was possible that one or two IOM expatriates would be needed for a few years after the conclusion of HR. Ministry of Foreign Affairs Consular Department Deputy Chief Nguyen Thanh Thy recommended that this issue be raised with MFA Consular through a diplomatic note from IOM once there was a more concrete knowledge of the likely need for such personnel.

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Fraud Prevention - Not Yet  
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17. (SBU) While verification of re-education release certificates has been valuable, in a number of cases the US side informed the GVN that the verification result is difficult to rectify with other facts. Vien, with some heat, stated that the verifications were confirmations of GVN records and as such were absolutely accurate. He went on that it was possible that the actual document presented in a given case might not be genuine and that the person who submitted it might have gotten it through a broker. If the latter was true, the applicant may not even know where the document came from. If the document was "verified" that did not mean that MPS guaranteed that it had issued that particular piece of paper. Rather it meant that the data on the document matched MPS records. The US side

elaborated that there were a number of possible reasons for the detected discrepancies, imposters being one of them. The two sides agreed to look further at this problem on a case by case basis.

¶18. (SBU) The two sides also discussed add-on family members. The US side asked the GVN again to inform us when they detected such problems, especially since this could relate to alien smuggling and permanent ineligibility to enter the United States. The GVN side, seemingly amused that in this instance U.S. law is much harsher than Vietnamese law, repeated its response to this request. In such cases, persons are barred from exiting Vietnam for five years. The GVN side (not very helpfully) said we would be able to recognize such cases by the ban itself. Earlier in the meeting, Vien had mentioned that the two countries should cooperate closely to manage immigration and that a list of all HR applicants (the so-called "List A") would help the GVN do this.

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Unpleasant Business  
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¶19. (SBU) The GVN declined to add any specific items to the agenda, but under "Other Business," Vien rather unexpectedly raised the 2007 Vietnam Human Rights Bill that has passed in the U.S. House of Representatives. He said that Vietnam was "very sad" about its contents -- particularly the items relating to "refugee." He asked where the bill's authors had gotten their information about Vietnam and the refugee situation here. He asked what State had or had not done with regard to the bill and implored the U.S. side to convey Vietnam's unhappiness with the bill, and to inform the U.S. Senate about the bill's inaccuracies. He repeatedly emphasized that Vietnam allows its citizens the freedom to immigrate, contrary to the bill's portrayal of the situation. The DPO agreed to pass on these concerns, but recommended that the Vietnamese Embassy in Washington could do much more to cultivate ties with Congress and better represent the GVN's point of view in Washington.

¶10. (SBU) In contrast to earlier in the process, the GVN expressed no great interest in fixing a date for the fifth meeting. Previously the GVN had been punctilious about trying to schedule JWG meetings on a quarterly basis as stated in the agreement on HR. In reality, there have been too few discussion items to justify meeting so frequently, and the GVN now seems to have come around to this point of view. Vien suggested that the next, and final, meeting of the JWG could take place in late June after the end of the application period. He also reminded the U.S. side about A/S Sauerbrey's idea of a working visit to the U.S. (a possible volvis) so that GVN officials could observe USG and NGO operations -- essentially how civil society works -- particularly in the contexts of the resettlement process and working with ethnic minority communities. He wondered if such a

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trip could be in conjunction with a final JWG meeting.

¶11. (U) Comment: The productive and positive aspects of the meeting went according to our expectations and the tone was cooperative, if not really effusive. The GVN continues to be sensitive to critique as shown by the reaction to the VNHRA and their perception that our questions about re-education release certificate verifications impugned the integrity of the verification process.

¶12. (U) Comment continued: JWG members and a number of local and provincial officials in the Central Highlands separately have expressed interest in learning more about civil society in the United States. A volvis combining these officials as well as national-level officials responsible for ethnic minority affairs could be made to showcase civil society in the U.S. For instance, it could include a segment in Washington on national-level policies and coordination, a visit to a Native American community in New Mexico, and another visit of a local volunteer agency participating in refugee resettlement from Vietnam and elsewhere. This could advance U.S. interests in

promoting civil society and greater space for NGO's in Vietnam  
by showing Vietnamese officials how civil society and social  
services operate in the U.S. End comment.  
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